REMARKS BY MARIANNE LAMONT HORINKO
BAKER BOTTS ANNUAL ENVIRONMENTAL SEMINAR
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Sometime within the next few weeks the Environmental Protection Agency will announce that the Love Canal Superfund site in upstate New York is being formally delisted. That will mean that all cleanup work at the site has been completed, all the trucks and bulldozers have left, and life there can return to normal.

I expect that our announcement will draw some attention from the national media, because, after all, Love Canal was the site that shocked the nation back in the late 1970s, when strange chemicals were found bubbling into neighborhood basements. Love Canal was the site that spurred Congress to pass the Superfund law in 1980. Love Canal has been the national poster child for all the contaminated sites that have plagued this country.

The final completion of all cleanup activities at Love Canal may well inspire some reporters to take a new look at Superfund, and give a fresh assessment of its history, its accomplishments, and its prospects. I hope that happens, because after a quarter century of operations, Superfund is still misunderstood by much of the public.

What's more, Superfund has changed a lot over the years. The Superfund that began the cleanup at Love Canal over two decades ago is not the same Superfund that will announce its delisting. Today I'm going to spend a few minutes talking about Superfund, the myths and the reality, where it's been and where it's going.

I've spent most of my professional life involved in Superfund. Today I want

to share with you some of my thoughts on that costly, complicated, contentious program. And then I want to talk about where Superfund stands today in the context of this country's overall cleanup efforts.

Let there be no doubt about one thing: Superfund has been one of the nation's most important, most effective, environmental laws. When it was enacted in 1980, it was the only cleanup show in town. In fact, it was the only nation-wide, toxic waste cleanup program on the face of the earth. As such, it was the cauldron in which bubbled public fear of abandoned toxic wastes, public anger over the companies that dumped them, and public uncertainty over the number of contaminated sites, where they were, the relative dangers they posed, and what should be done about them. Given that Superfund was driven by public fears, scientific uncertainty, and enormous costs, it's not surprising that the program has been marked through its history by incessant public criticism, political jousting, and a mountain of litigation.

Despite its rocky beginnings, Superfund has a record of accomplishment that all Americans can be proud of. Since 1980, Superfund and its state and tribal partners have investigated nearly 45,000 potentially contaminated sites. More than 33,000 sites (74 percent of the total investigated) have been removed from the original Superfund inventory. We've completed about 7,000 emergency or short term cleanup actions that stabilize a site and respond to immediate risks to human health and the environment.

Of the roughly 1500 sites placed on the National Priority List for cleanup, almost 900 have been cleaned up, or referred to another federal agency for cleanup. Of the remaining 650 or so sites, all but a handful are in the construction, study, or design phase of cleanup. EPA responds to all Superfund sites that pose immediate

health risks to the families and communities that live around them.

This is a remarkable record, and the country's paid a high price for it. Since 1980, the parties responsible for the contamination and pollution have committed more than $21 billion for cleanup, and the federal government has paid out many billions more. No nation on earth has made more of a commitment, done more work, or paid out more money cleaning up its toxic waste sites even though, in some cases, the disposal practices that led to the contamination were completely legal at the time. We simply know more now than we did then.

I'm not exactly sure why Superfund is hounded by critics. Perhaps it's because Superfund is a complex program that is hard for the average citizen to understand. Perhaps it's misunderstood because it's a national program with national goals, but with local political, economic, and health implications. Or maybe the criticism arises out of a national tendency to want to find someone or something to blame. But whatever the reason, EPA's management of Superfund has drawn a barrage of criticism over the years.

For example, the Bush Administration is continually being accused of failing to reinstitute the Superfund tax, thus giving a big break to polluting industries that caused the toxic messes in the first place. We're accused of repealing the "polluter pays" principle in order to reward our polluting friends.

Let me make three points in response. First, the Superfund tax lapsed in the middle of the last Administration, and there was little effort to reinstate it back then, or now. Second, the Superfund tax was not necessarily a tax on "polluters," but rather a broad tax of petroleum feedstocks coupled with an even broader tax on general corporate profits. No matter what you may believe about corporate taxes, whether they're too high or too low, the Superfund tax targeted many companies

that were not polluters.

And third, the "polluter pays" principle really means that the first targets for paying cleanup costs at any particular site are the parties responsible for the contamination. That principle still holds. Over the life of the Superfund program, responsible parties have paid for about 70 percent of non-federal cleanups, roughly the same percentage they pay today. Over the past seven years, responsible parties have paid – on average – $838 million per year for cleanup. Last year alone, through EPA's enforcement efforts, responsible parties contributed $1.13 billion to clean up their sites nationwide.

The lapse of the Superfund taxes leads directly to another widely-publicized myth: Superfund is slowly grinding to a halt because EPA's cleanup budget, fed by Superfund taxes, is drying up. The recent decline in the number of cleanups completed year by year is presented as proof. Whereas in the late 1990s, about 80 Superfund projects a year where completed, last year EPA finished cleanup at 40.

The link between the Superfund Tax and EPA's cleanup budget is one of those urban myths, like giant alligators in the sewer system. There are no alligators, and there is no link. EPA's Superfund budget is appropriated each year by Congress. Over the past 10 years the amount appropriated to EPA for Superfund has remained remarkably consistent, roughly between $1.1 and $1.4 billion per year. But it's unrelated to the Superfund tax and Trust Fund balance.

The Superfund budget is subject to the same kind of funding pressures as all other federal programs. In 1996, for example, the Trust Fund balance was $3.8 billion, while our appropriation was only $1.4 billion. I expect appropriations for Superfund cleanups will continue steady into the future, no matter what the balance in the Trust Fund. Even if the Superfund taxes were reimposed tomorrow, money

collected would not flow directly to EPA. It would be subject to Congressional appropriations, and our Superfund budget would not necessarily increase. That budget is controlled by Congress, pure and simple.

It's true that the number of Superfund sites cleaned up each year has gone up and down over the past 10 years, with a downturn the past few years. But that doesn't mean Superfund is dying. It means Superfund is changing. And those changes suggest where our national contamination cleanup efforts are heading in the future.

The first big change I want to mention is how typical Superfund sites not yet cleaned up are different from those already completed. Of the almost 900 Superfund sites that have been cleanup up since 1980, 5 percent were so-called "megasites – sites that cost more than $50 million apiece to clean up. Compare that to the job remaining. Of the roughly 650 sites now in the cleanup process, 16 percent are megasites such as mining sites and sediments in rivers and harbors. In other words, 16 percent of remaining cleanup sites are large, complex, and very expensive, compared to only 5 percent of historical completions.

Also, the number of individual cleanup projects (so-called operable units) at megasites being cleaned up today have increased 50 percent as compared to megasites already completed. In other words, today we are confronted with bigger, more complex sites that take lots of different techniques and approaches to get cleaned up.

Clearly, in its early days Superfund completed many of the cheapest and easiest sites first. Understandably, the program harvested the low hanging fruit. But there are a lot of tough nuts still hanging up in the trees.

This historical reality has huge implications for the future of Superfund.

On average today, individual site cleanups are costing more, and they're taking longer to complete. Whereas completed non-megasites cost about $7 million each to clean up, those still in the pipeline are expected to cost about $15 million each. Completed megasites cost on average $57 million each, while those in process are projected to cost more than $100 million each. And sites today are often in the system longer than ten years, a jump from earlier completed sites. Given that Superfund sites are taking longer to clean up, and costing more, than 10 or 15 years ago, it looks like we have our hands full.

But here's the good news, and the second big change I want to talk about. Superfund is no longer the only game in town. Other governmental programs have been developed to help clean up contaminated sites. For example, there is a very energetic corrective action program under the Resource Conservation and Recovery Act whereby federal and state governments clean up waste disposal facilities. In a few weeks we will announce the one-thousandth site cleaned up under that program. There's also a special program to clean up leaking underground storage tanks, and so far tank cleanups nationwide amount to 300,000. Federal, state, and local governments are all involved in a voluntary partnership program to clean up so-called brownfields, which tend to be smaller and less contaminated. So far, based on state data, more than 25,000 brownfield sites have been cleaned up through the cooperative efforts of government agencies and the private sector.

In other words, today – unlike 25 years ago when Superfund stood alone – a number of different approaches can be used to clean up the full range of contaminated sites in America's communities. Furthermore, we have become more knowledgeable, our science is better, and we have become more sophisticated in

managing cleanups. Today we can act more quickly, with more appropriate remedies that allow a more useful future for a site, than we could have imagined 20 years ago.

There's a third big change at work, and that's the growing emphasis on reuse of cleaned up sites. Contaminated sites of any kind are a blight on communities because they degrade the environment and threaten human health. They're an economic blight as well. For health, safety, or liability reasons, contaminated sites are often fenced off, gated, inaccessible – a kind of community quarantine.

And the blight is contagious: like the proverbial rotten apple, a contaminated site can spoil the value of the property around it. Whole neighborhoods can deteriorate over time, with families moving and land values falling, because a single property is known to be contaminated.

But the contagious blight of contamination can be reversed. When sites are cleaned up AND the land put back to use, the heartbeat of the community revives. For the last few years, EPA has tested the idea of community revitalization in all of our cleanup programs. And everywhere we see the same results. We see more constructive community involvement, because people look forward to the parks and housing and shopping centers that will rejuvenate a previously contaminated site and the community around it. We see stronger partnerships between government, private developers, and community organizations, because everyone wins when a neighborhood springs back to life. We see more sensible cleanup plans, because they can be tailored to accommodate planned future uses. We see easier access to funding, because cleanup money is seen as an investment with a stream of future returns.

Because the partnerships, planning, and funding are targeted at future

potential, not past failures, the contamination often is cleaned up more quickly. And faster cleanups means faster cuts in health risks, and faster increases in jobs and tax revenues.

I've seen dozens of examples of how site cleanup can drive economic revitalization, and here's one. One of the biggest cleanup projects in the country was at the Joliet Army Ammunition Plant outside Chicago. The 36 square mile area actually contained two different Superfund sites with contaminated soil and groundwater.

The site was remarkable not only for its size but for the involvement of several different agencies and levels of government, and for the variety of beneficial uses for the cleaned up land. Almost a thousand acres have been transferred to the Department of Veterans Affairs for the creation of the Lincoln National Cemetery. About 450 acres were transferred to Will County for use a municipal waste landfill. About 15,000 acres were transferred to the Forest Service for a Tallgrass National Prairie. By the way, when cleaned up property comes back to life as prairies, parks, wetlands, or other kinds of open green space, EPA considers that a very beneficial reuse, and an intrinsic aspect of community revitalization.

And there's even more to the Joliet story. About 2300 acres have been dedicated to the creation of two industrial parks. Among other things, a multi-use intermodal rail facility and 20 million square feet of modern manufacturing and warehouse space are sited there.

This cleanup project is giving a major jolt to the Joliet economy. It's created over 15,000 construction-related jobs, and as many as 10,000 permanent jobs will be located there when the project's complete. The site will contribute more than

$27 million in annual property taxes after completion. I can't think of a contaminated site in the country that's being put to more different uses, or that's added a wider array of benefits to the community, than the old Joliet Arsenal in upstate Illinois — and this is just one example.

Let me make clear that this new emphasis on community revitalization is being watched warily by many people, including old-time EPA employees. They believe EPA has no business being an economic development agency, and I agree with them. EPA is not the EDA. We do not choose the businesses attracted to newly cleaned sites. We do not invest in those businesses. Rather, we reduce impediments to new investment by helping to clean up the contamination that drove away investment in the past. In that sense, we see ourselves as aiders and abettors of local economic development, a role that may seem incongruous to in our past but inevitable in our future.

So what are the future implications of these three changes: the changing nature of Superfund sites, the evolution of different cleanup programs, and the growing emphasis on not merely cleanup, but reuse? Let me suggest a few.

First, I suggest that success in our national cleanup efforts should no longer be measured only by the number of Superfund sites completed, or started, each year. Superfund will continue to provide a national service into the future. Sites that especially complex, especially expensive, or especially controversial are likely to remain the exclusive province of the Superfund program. But we should not be dismayed if the average cost, or the average length of time, of Superfund cleanups continues to rise. To use a marketing term, I believe that Superfund over time will become a "niche market", a place where the most intractable problems are worked out. EPA's Superfund will be at the worst sites as an agent of last resort.

Second, the vast majority of the tens of thousands of contaminated sites not on the NPL and still awaiting cleanup should be tackled by the federal, state, or local programs most likely to find the simplest, most direct solution. In some cases, one particular cleanup site may be home to a number of different projects, some under Superfund, some under RCRA, some brownfields. That's already happening at sites around the country. It shouldn't matter to government agencies which program "owns" a site, or if several programs co-own it. It certainly doesn't matter to the community around it. What matters is that the site is cleaned up and put back into use.

Third, success in the future shouldn't only be measured in terms of the number of sites cleaned up, even if that number is aggregated across all programs. Rather, it should be measured in terms of acres of land put back into economically productive use, and that includes green space and wildlife habitat.

I have to admit: I've never liked the word "sites" to describe or count plots of ground that are chemically contaminated. Maybe it's because my husband is a real estate agent. I tend to think of them as "properties" waiting to be developed.

There are different kinds of impediments to property development: lack of transportation, crime, crumbling infrastructure. In my mind, environmental contamination as just another kind of impediment to property development. Once investors think that way, I think you'll find much more enthusiasm for cleaning up properties in the expectation of future profits.

To encourage this kind of thinking, EPA has developed a new "Ready for Reuse" determination that allows potential buyers to make an informed decision about a once-contaminated site. The first "Ready for Reuse" determination was issued right here in Texas last July at a former tin and copper smelter near

Galveston. EPA wants to see cleaned up property given back to America's communities and put to use strengthening the economy and adding jobs.

Finally, I think the changes we're seeing in our national cleanup efforts bode well for the future of voluntary partnerships across the whole spectrum of environmentally protective activities. It's one of the lessons I learned during my four-month tour as Acting Administrator of EPA last summer. Voluntary programs may not have the force of law behind them, but they certainly work more smoothly than regulatory actions, and they're beginning to show real results.

Look at Superfund and Brownfields. One is a regulatory program with all the contentiousness and litigation that comes with it. The other is a voluntary partnership where the interests of many parties – public and private – are aligned, and where sometime adversaries work together toward common goals. It would be interesting to know which program is more cost-effective in terms of reducing contamination and returning property to community use. It would be interesting to know which achieves its results more quickly, since the speed of success is as important to public health as it is to profitability.

There is no doubt that strong regulations will always be the basic underpinning of environment protection in this country. But I think we're just beginning to tap the potential of voluntary partnerships as an efficient way to improve our health, our economy, and our quality of life even more.

Thank you very much.